IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 17666 of 1999

Between:

M/s. Bharani Trading Co.,
Rep.by D.Sahadev, s/o.Janakiram,
Age: 43 years, r/o.6-4-420/2/A,
Bolakpur, Secunderabad.

.....
PETITIONER

AND

1. The Inspector of Police,
VCCSD, City, Team-II, Ganganvihar,
Hyderabad.

2. The Chief Rationing Officer,
Twin cities, Hyderabad at
Opp Anand Talkies, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ ,

order or direction more in the nature of writ of Mandamus declaring the action of the respondents in seizing the stocks of Edible Oils by conducting panchanama in crime No.233/VC.City/T-D1/98 dated 5-11-1998 declare the same as null and void and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of case.

Counsel for the Petitioner: MR.V.H.V.R.R.SWAMY

Counsel for the Respondent No: G.P. for Civil Supplies

The Court Made the Following :

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ORDER:

In view of law declared by this Court in *A.P.OIL MILLER ASSOCIATION LTD., HYDERABAD AND OTHERS Vs. COMMISSIONER OF CIVIL SUPPLIES AND CONSUMER AFFAIRS, HYDERABAD*[1], which was affirmed in writ appeal No. 1546 of 1998, dated 30-06-1999, not only restriction on stock but also licensing of dealer and all other requirements under A.P. Scheduled Commodities Dealers (Licensing and Distribution) Order, 1982 stands deleted to the extent of edible seeds and edible oils. In the light of deletion of the same from the Central Storage Control Order, 1977 by the Central Government, and by virtue of the interim order, the stocks

were already released in favour of the petitioner and the same shall be subject to the outcome of the crime registered against the petitioner. Petitioner is at liberty to raise all the grounds that are available to him in law if any charge sheet is filed if any proceedings are initiated pursuant to the registration of crime.

The writ petition is accordingly disposed of.

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05-07-2004

VS

To

1. The Inspector of Police,
   VCCSD, City, Team-II, Ganganvihar,
   Hyderabad.

2. The Chief Rationing Officer,
   Twin cities, Hyderabad at
   Opp Anand Talkies, Secunderabad.

3. Two CCs to the G.P. for Civil Supplies, High court Buildings, Hyderabad. (O.U.T).

4. Two CD copies.

5. One spare copy.

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 17666 of 1999

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Dated: 05-07-2004

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[1] 1998 (5) ALT 433